

Remarks/Arguments

The application has not been amended as it is believed to claim patentable subject matter in its present form.

The examiner has rejected claims 1-13, 16-22, 25-45 and 48-82 under 35 U.S.C. §102(e) as being anticipated by Petrie et al., U.S. Publication No. 2002/0055788 A1 ("the Petrie Publication"). The examiner has also rejected claims 14, 15, 23, 24, 46, and 47 under 35 U.S.C. §103(a) as being unpatentable in view of the Petrie Publication combined with the state of the art.

The Petrie publication is a commonly owned application with common inventorship of Joseph Petrie and Chris Cacioppo with the present application. Accordingly, a declaration under 37 C.F.R. §1.132 including an unequivocal statement that the present inventors conceived and invented the disclosure of the Petrie Publication, which has been cited against the present application. Withdrawal and reconsideration of the rejections are respectfully requested.

Applicants submit that all the claims are now in condition for allowance, which action is requested.

Respectfully submitted,



Mark E. Baron
Attorney for Applicant(s)
Reg. No. 46,150
Kirkpatrick & Lockhart Nicholson
Graham LLP
75 State Street
Boston, Massachusetts 02109-1808

Date: April 6, 2005

Tel. No.: (617) 261-3106
Fax No.: (617) 261-3175